

The Honorable Benjamin Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

Jo Anna Lang, PR of the estate of Dick
Lang, Wife and Husband, adoptive
parents of C.L., a minor child and R.L., a
minor child, Jo Anna Lang, guardian ad
litem, for C.L. and R.L.,

Plaintiffs,

v.

STATE OF WASHINGTON,
DEPARTMENT OF SOCIAL AND
HEALTH SERVICES, (DSHS) CHILD
PROTECTIVE SERVICES, (CPS),
Kaylena Gonzalez, individually and
MARK AUSTIN GONZALEZ and as a
marital community, Pamela Williams,
individually, and Alan Robert Evans
individually and as a marital community,
Jennifer White and John DOE White
individually and as a marital community,
Laura Caruso, John Doe Caruso,
individually and as a marital community;
Sarah Coshow, and John DOE Coashow,
individually and as a marital community,
Janelle E. Redmond and JOHN DOE
Redmond, individually and as a marital
community, Lorraine Martinez, and
JOHN DOE Martinez, individually and
as a marital community, Beth A.
Kutzera, and JOHN DOE Kutzera,
individually and GLENN T. KUTZERA
as a marital community, J. Aaron

NO. 3:20-cv-05057-BHS

STIPULATED MOTION TO
CONTINUE DEADLINES FOR FED.
R. CIV. P. 26(F) CONFERENCE,
INITIAL DISCLOSURES AND JOINT
STATUS REPORT

**NOTED FOR CONSIDERATION:
August 18, 2020**

Merino, and JOHN DOE Merino; Jaimee Scheffler, individually and JOHN DOE Scheffler as a marital community, and, Office of the Attorney General, State Agency, Danial Hsieh, AAG, and Vancouver Police Department, and Cowlitz County Sheriff's Department, and Eimiko Murlin and Jeff Ian Murlin, individually and as a marital community were foster parents of C.L., and Steve Vallembois, Jimmy Howard, Foster parents for R.L., individually, and Kimberly Copeland, MD, Legacy Salmon Creek Medical Center,

Defendants.

STIPULATION

The parties stipulate and agree as follows:

1. Plaintiff filed this action on January 21, 2020. (Dkt. No. 1.) Plaintiff filed a first amended complaint (FAC) on March 20, 2020. (Dkt. No. 18.)

2. The Honorable Ronald B. Leighton, United States District Judge, entered an order setting deadlines for the Federal Rule Civil Procedure 26(f) conference (Rule 26(f) conference), initial disclosures and joint status report on January 27, 2020. (Dkt. No. 3.) Pursuant to a motion filed by counsel for plaintiff, Kevin L. Johnson, the Court entered a minute order continuing those deadlines to, as currently set, August 21, 2020, August 28, 2020 and September 4, 2020, respectively. (Dkt. No. 23.) Thereafter, on July 22, 2020, this case was reassigned to the Honorable Benjamin H. Settle, United States District Judge. (Dkt. No. 24.)

3. Plaintiff requested waiver of service of individual defendants affiliated with the State of Washington (State) on July 16, 2020, and the responses to the FAC of those defendants who provide waivers are due on September 14, 2020. (Fed. R. Civ. Pro. 4(d)(3).) Plaintiff also agreed to an extension of time for the State-affiliated defendants who were personally served to respond to the FAC until the same date, September 14, 2020.

4. Defendant City of Vancouver has filed a motion to dismiss, which is noted for consideration on August 28, 2020. (Dkt. No. 29.) Defendants Kimberly Copeland, MD and Legacy Salmon Creek Medical Center have filed a motion to dismiss, which is noted for consideration on September 4, 2020. (Dkt. No. 30.)

5. Under the Court's current order, numerous defendants will not have responded to the FAC and the two pending motions to dismiss will not yet have been decided before the Rule 26(f) conference deadline set in that order. In light of these circumstances, the parties agree that continuing the deadlines for the Rule 26(f) conference, initial disclosures and joint status report will promote efficient case management and economy in the litigation. In addition, continuing these deadlines will accommodate various disruptions and delays caused by the coronavirus pandemic.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, that:

1. The deadline for the Rule 26(f) conference will be **October 14, 2020**.
2. Initial disclosures will be due **October 28, 2020**.
3. The joint status report will be due on **November 6, 2020**.

DATED this 18th day of August, 2020.

//

//

//

//

//

//

//

//

//

ROBERT W. FERGUSON
Attorney General

s/Pamela E. Glazner
Pamela E. Glazner, WSBA No. 56495
Assistant Attorney General
Attorney General's Office
800 Fifth Avenue, Suite 2000
Seattle, Washington 98104
Tel: (206) 389-2047
Fax: (206) 587-4229
E-mail: Pamela.Glazner@atg.wa.gov

*Attorney for Defendants State of Washington,
Department of Social and Health Services,
Child Protective Services, Kaytena Gonzalez,
Mark Austin Gonzalez, Pamela Williams,
Jennifer White, Laura Caruso, Sarah Coshow,
Jay Redmond, Lorraine Martinez, Beth A.
Kutzera, J. Aaron Merino, Jaimee Scheffler,
Daniel Hsieh, Eimiko Murlin, Jeff Ian Murlin,
Steve Vallembois, and Jimmy Howard*

s/Ketia B. Wick
Ketia B. Wick, WSBA No. 27219
FAVROS LAW
701 5th Avenue, Suite 4750
Seattle, WA 98104
Tel: (206) 749-0094
Fax: (206) 749-0194
E-mail: ketia@favros.com

*Attorney for Kimberly Copeland, MD and
Legacy Salmon Creek Medical Center*

s/Patrick McMahon
Patrick McMahon, WSBA No. 18809
Carlson & McMahon PLLC
715 Washington Street
PO Box 2965
Wenatchee, WA 98807-2965
Tel: (509) 662-6131
Fax: (509) 663-0679
Email: patm@carlson-mcmahon.org

Attorney for Cowlitz County Sheriff's Office

//

//

s/Kevin L. Johnson
Kevin L. Johnson, WSBA No. 24784
Kevin L. Johnson, P.S.
Attorney & Counselor at Law
1405 Harrison Ave NE, Suite 204
Olympia, WA 98502
Tel: (360) 753-3066
E-mail: Kevinjohnson230@gmail.com

Attorney for Plaintiff

s/Daniel G. Lloyd
Daniel G. Lloyd, WSBA No. 34221
Assistant City Attorney
City Attorney's Office / Civil Division
PO Box 1995, Vancouver, WA 98668
Tel: (360) 487-8520
Fax: (360) 487-8501
Email: dan.lloyd@cityofvancouver.us

Attorneys for City of Vancouver

ORDER

Based on the foregoing stipulation of the parties, and good cause appearing therefor, IT IS
HEREBY ORDERED:

1. The deadline for the Rule 26(f) conference is **October 14, 2020**.
2. Initial disclosures are due **October 28, 2020**.
3. The joint status report is due on **November 6, 2020**.

DATED this 21st day of August, 2020



BENJAMIN H. SETTLE
United States District Judge

Presented by:
ROBERT W. FERGUSON
Attorney General

s/Pamela E. Glazner
Pamela E. Glazner, WSBA No. 56495
Assistant Attorney General
Office of the Attorney General
800 Fifth Avenue Suite 2000
Seattle, WA 98104
Pamela.Glazner@atg.wa.gov

*Attorneys for Defendants State of Washington,
Department of Social and Health Services,
Child Protective Services, Kaytena Gonzalez,
Mark Austin Gonzalez, Pamela Williams,
Jennifer White, Laura Caruso, Sarah Coshow,
Jay Redmond, Lorraine Martinez, Beth A.
Kutzera, J. Aaron Merino, Jaimee Scheffler,
Daniel Hsieh, Eimiko Murlin, Jeff Ian Murlin,
Steve Vallembois, and Jimmy Howard*